

Mr. Meacham moved that the Senate adjourn *sine die*.

The Chair ruled the motion out of order.

Mr. Howell moved that the Senate do now adjourn;

On which the yeas and nays were called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Dennis, Hill, Howell, Johnson, Long, Meacham, Osgood, Pope, Sturtevant, and Wallace—11.

Those voting in the negative were—

Messrs. Brantley, Cottrell, Crawford, Fortner, Hendry, Knight, McAuley, Oliveros, and Smith—9.

So the Senate was declared adjourned until 10 o'clock tomorrow.

### WEDNESDAY, FEBRUARY 24, 1875.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Durkee, Fortner, Hendry, Hill, Howell, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Meacham, Oliveros, Osgood, Pope, Smith, and Sturtevant—22.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal.

Mr. Oliveros moved that the further reading of the Journal be dispensed with;

Which was agreed to, and the correction of the Journal was in order.

The Private Secretary of the Governor appeared at the bar of the Senate with a message from the Governor.

The following messages were received from the Assembly:

ASSEMBLY HALL,  
TALLAHASSEE, Fla., February 23, 1875. }

*Hon. A. L. McCaskill, President pro tem. of the Senate:*

SIR: I am directed by the Assembly to inform the Senate that the Assembly has this day passed—

Assembly Bill No. 13:

A bill to be entitled An act Relating to the Bond of State and County Officers;

Assembly Bill No. 39:

A bill to be entitled An act for the Apportionment, Qualification, and Duties of Coroners;

Assembly Bill No. 117 :

A bill to be entitled An act Relative to Holding State and County Offices ;

Assembly Bill No. 129 :

A bill to be entitled An act to Require the County Treasurers of the Several Counties of this State to Make an Annual Statement of their Receipts and Disbursements and to Publish the same ;

Assembly Bill No. 127 :

A bill to be entitled An act to Secure to the Purchasers and Transferees and their Assigns from the Several Railroad Companies of the Lands and the Titles thereto Granted by the United States to the State of Florida for Railroad Purposes by act of Congress, approved May 17, 1856 ;

Assembly Bill No. 108 :

A bill to be entitled An act to Incorporate a Company to Construct a Railroad from Clear Water Harbor to the Waters of the St. Johns River, or some Railroad Running North ;

Assembly Bill No. 136 :

A bill to be entitled An act Relative to the Renunciation of Dower.

Very respectfully,

H. S. HARMON,

Clerk Assembly.

And the accompanying bills placed among the orders of the day.

The correction of the Journal was passed over for the present.

Assembly amendments to Senate Bill No. 26, which were returned to the Senate, were taken up.

Mr. Johnson moved that the Senate concur in Assembly amendments.

Mr. Cottrell objected to concurrence in the amendment appropriating \$7,000, &c.

On the question, Shall the Senate concur ?

The roll was called with the following result :

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Dennis, Fortner, Hill, Howell, Johnson, Long, McAuley, McKinnon, Meacham, Oliveros, Parlin, Pope, Sturtevant, and Wallace—16.

Those voting in the negative were—

Messrs. Cottrell, Crawford, Durkee, Lykes, Osgood, and Smith—6.

So the Senate concurred.

Mr. Brantley moved that the unfinished business of yesterday be taken up, viz. : The majority report of the Committee on Privileges and Elections.

Mr. Dennis moved to postpone the regular business until 1 o'clock ;

Upon which the yeas and nays were called.

Those voting in the affirmative were—

Mr. President, Messrs. Dennis, Durkee, Hill, Howell, Johnson, Long, McKinnon, Meacham, Oliveros, Osgood, Parlin, Pope, and Wallace—14.

Those voting in the negative were—

Messrs. Brantley, Cottrell, Crawford, Fortner, Hendry, Knight, Lykes, McAuley, and Smith—9.

So the Senate agreed to postpone until 1 o'clock.

Mr. Lykes moved to take up the appropriation bill.

Mr. Lykes withdrew his motion.

Mr. Knight moved that the Enrolling Clerk be permitted to employ aid to bring up his work;

Which was agreed to.

The Committee on Enrolled Bills made the following report :

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 24, 1875. }

*Hon. A. L. McCaskill, President of the Senate :*

SIR: The Committee on Enrolled Bills, to whom was referred Senate Bill No. 65, An act to Convert Certain School and Seminary Bonds into Bonds Authorized to be Issued by an Act of February 21st, A. D. 1875, have examined the same, and find them correctly enrolled.

Respectfully submitted,

M. A. KNIGHT, Chairman.

Which was received.

The Committee on Railroads and Telegraphs made the following majority report :

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 23, 1875. }

*Hon. A. L. McCaskill, President of the Senate :*

SIR: The majority of your Committee on Railroads and Telegraphs, to whom was referred Assembly Bill No. 66, a bill to be entitled An act to Enlarge and Extend the Corporate Powers and Privileges of the Atlantic and Gulf Road Company, in the State of Florida, have considered the same, and recommend its passage.

Respectfully submitted,

B. F. OLIVEROS,  
A. D. MCKINNON,  
M. G. FORTNER.

Mr. Johnson, from the same committee, offered the following minority report, and moved that the reading of the report be dispensed with and that it be spread upon the Journal ;

Which was agreed to.

## MINORITY REPORT.

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 23, 1875. }

*Hon. A. L. McCaskill, President of the Senate:*

The minority of the committee on Railroads and Télégraphs, to whom was referred Assembly Bill No. 36, a bill to be entitled An act to Enlarge and Extend the Corporate Powers and Privileges of the Atlantic and Gulf Railroad Company, in the State of Florida, beg leave to make the following report: The bill proposes to confer upon a private corporation of another State very extensive and exclusive privileges. The charter under which it exists is not placed before this body so that the extent and nature of the powers conferred upon it, and the limitations and responsibilities imposed, can be understood. No petition or memorial from the company setting forth authoritatively the design or purpose of the proposed measure, accompanies the bill—nor the reason which makes necessary such exceptional legislation.

This State conforming to the spirit of the eighteenth and twenty-second sections of the fourth Article of its Constitution, has opened wide its doors to citizens of all other States and of the world, upon equal footing with its own citizens, to come in and apply their funds to the construction of railroads and canals in any part of the State, subject only to the provisions deemed necessary to the protection of public and private rights, and operating upon all alike at all times.

If the purpose of the bill is to enable capitalists who are stockholders in the Atlantic and Gulf Railroad *to build* any roads in this State, it is unnecessary, because the first section of the "Act to Provide a General Law for the Incorporation of Railroads and Canals," approved February 9, A. D. 1874, provides that "any number of persons not less than three may form a company for the purpose of constructing, maintaining and operating a railroad or canal for public use," and thereby become entitled to the benefits of all the provisions of the act.

If the purpose is *to buy or lease* railroads or canals already constructed, the same bill provides that companies may be formed under its provisions "for the purpose of maintaining and operating any railroad or canal already constructed." If the purpose is to only lease any railroad, then all the chartered privileges under which such leased road existed would go with it and attach during the lease.

There would appear, therefore, to be no occasion for the proposed enactment, unless it be while conferring upon a private corporation of *another State* all these powers and authorities

within our State, to exempt it from that control and supervision which the State should maintain over all who hold and exercise public franchises by its grant. In this respect the scheme of this bill violates what should be regarded as a vital and cardinal principle in our legislation, namely: That corporations exercising public franchises within the State, should exist only under the authority and control of our own State. Nor is it deemed advisable or politic in legislation to make special grant of franchises without a knowledge of the purposes for which the grant is sought, and for which they will be used, nor unless they are essential to the exercise of a present object, the general benefits of which will justify the proposed abridgment of general rights by the investiture of such special privileges. The exposition of their purposes by parties applying for special privileges, is also essential to wise legislation, that it may be known if the demand will harmonize with the public policy of the State, and with good faith and consideration for already existing interests brought into being by its own encouragement for the public benefit, as understood at the time.

But beyond these considerations, this bill is open to most grave objections in respect to its particular provisions.

In the first place, it declares by recital that corporate powers and privileges have heretofore been granted by this State to this corporation of Georgia, by an act of December 13th, 1866, when such fact does not exist, and when, in truth, the exercise of such corporate powers and privileges within the State has been in direct contravention and defiance of the enactment referred to. The conditions upon which privileges were conferred, are thus declared in the second section: "That the sale of said branch railroad shall be made *for cash*, and all the moneys and profits arising from said sale shall be applied towards the completion of the Pensacola and Georgia Railroad, commencing the work at the terminus of said railroad, near Quincy, going westward to Pensacola; the work to commence at as early a day as is practicable." These conditions were never complied with, and the privileges, therefore, never attached. One of the effects of this bill will be to legalize and reward this violation of the proscriptions of the State.

In the next place it confers upon this corporation of Georgia "all and singular the corporate powers and privileges usual and incident to all railroads in the State." No matter if these powers and privileges were made extraordinary in consideration of the necessity the State was under at the time to have roads when they had none, and thus received a valuable consideration for the grant, no matter if subsequent experience shall have shown that such privileges were not wise to be granted; no matter if the grant of these privileges was offset by bur-

thens and duties which counterbalanced them in the estimation of the public; all these, whenever and however granted to any railroad corporation in the State, without any qualification, is granted *for all time to come* to this corporation of Georgia, without any of the burthens, liabilities, and duties which at the same time had accompanied these grants to the railroads of the State. And all these large concessions are made, too, without any consideration, either tendered or promised, and without even such conditions as may be necessary to protect capital already actually invested under the inducement and implied pledge of the protective influence of a State policy. Next, and as though this was not enough, the bill proceeds to confer a yet more extraordinary grant. This corporation of Georgia is authorized and empowered to avail itself of all and singular the rights, powers, privileges, and benefits contained in the general act of incorporation, and the bill proceeds, by way of emphasis, to declare that "the said Atlantic and Gulf Railroad Company is hereby declared to be *vested* with, and possessed of, all and each and every of the benefits, rights, powers, authority, and privileges contained in and conferred by said act of February 19, 1874, as fully and completely as if the same benefits, rights, powers, and privileges were in this act herein specially enumerated, set forth, and prescribed." In other words, the whole of that act, *just as it now exists upon the statute book*, becomes stereotyped as a part of the vested charter rights of this foreign corporation. The State may find that the provisions of this general law may operate unjustly or injuriously; that some parts of it may conflict with newly-arising interests of the people of the State; that its repeal even might be necessary to secure the construction of works, the value of which might be jeopardized by such unlimited rights to locate roads and canals; or it might become even advisable for the State to change its policy totally in respect to public improvements, and to guard the general rights and promote the general interest by a different policy of legislation. But if this bill is passed, the law *as it now stands* becomes *forever* a vested right of this corporation of Georgia, with power to locate roads and canals wherever and whenever it pleases them, and to enjoy all the privileges of the law as it now is, against any attempt of the Legislature to change, modify, or repeal it. Such an extraordinary grant, which is not allowed to our own citizens, who can only use the same in the form which it will assume from time to time by amendments, and only use it until repealed, is an excess of liberality which cannot surely be wise, especially as it cannot be retraced. It hardly comports with legislative wisdom to abandon forever all control over its public policy in respect to public improve-

ments; and to fix beyond any amendment so far as this particular corporation is concerned, the enactments of a law which is yet experimental, and which has already at this session been found to require alteration.

The *proviso* contained in the first section seems to be so unnecessary and valueless as to have no effect but that of placing upon our statute book a permanent record of ludicrous legislation.

The second section of the proposed bill also contains an extraordinary grant of special privilege over and above any right now allowed by the law to any of our own citizens or corporations. In the first place, they are allowed a *shifting* or variable domicile; and next, *are only allowed to be sued in law or equity* at the place they choose from time to time as their domicile; and then service of writs can only be made upon their resident agent at *that place* (without any obligation in the bill to have an agent there at all), or upon the president or superintendent if they can be caught in the State. There is no corporation or citizen of the State so favored—it is at war with the system of the State as applicable to our own citizens and corporations in judicial proceedings.

All these special and extraordinary powers are proposed to be conferred upon a foreign corporation, the financial condition of which, notwithstanding the most able management of its interests by gentlemen of unusual ability, is so feeble, in consequence of the paucity of business as compared with the length of its track, that it is liable to change proprietorship at any time. The great extent to which the interests of the State would become complicated in the fortunes and destiny of this private corporation of Georgia by the passage of this bill, made it the duty of members of the committee to inform themselves of the financial condition of the company. It is found that *every part of the property* owned by the corporation is under mortgage to secure a funded debt, which must be in excess, as it now stands, of the value of the property, for the value of their bonds, although a first mortgage is quoted a few days ago (February 20th,) at only 62 per cent., and besides this the company has a large unsecured floating debt which in their official annual report of 1873 was shown to exceed half a million of dollars. That the property of the company is considered as largely exceeded by its indebtedness, is shown by the fact that the last quotation of its common stock, which has come to our notice (August, 1874), was 2 to 5 per cent., that is to say, two to five dollars for one hundred dollars of stock. And the latest quotation (February 20th,) of its 7 per cent. guaranteed stock is only 16 to 18 per cent.

It is plain, then, that so far as the present financial means of

this corporation is concerned, it has no free property upon which to base a credit, nor any surplus capital to expend in new enterprises. The value of its bonds and stock have been steadily diminishing for some years past.

In conclusion, the minority of the committee consider that in a matter of so much moment the Legislature of this State was entitled to the respect of a direct and authenticated communication from the stockholders of this corporation petitioning for these large and unusual concessions, and frankly stating the purpose and reasons of the application. On the contrary, the bill comes before this Legislature in so informal a manner that we are not even assured that the stockholders know that such a measure is offered here.

Under the influence of these views the undersigned feel constrained to recommend that the bill do not pass.

E. G. JOHNSON, Chairman.  
FREDERICK HILL.

The following message was received from the Assembly:

ASSEMBLY HALL,  
TALLAHASSEE, Fla., February 24, 1875. }

*Hon. A. L. McCaskill, President pro tem. of the Senate:*

SIR: I am directed to inform the Senate that the Assembly has passed An act Relating to the Publication of Official and Legal Advertisements, the veto of his Excellency the Governor to the contrary notwithstanding.

Very respectfully,  
H. S. HARMON,  
Clerk Assembly.

The special committee to whom was referred Assembly Bill No. 62, a bill to be entitled an act to amend An act for the Regulation of Pilots and Pilotage, made the following report:

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 23, 1875. }

*Hon. A. L. McCaskill, President of the Senate:*

SIR: The special committee, to whom was referred Assembly Bill No. 62, a bill to be entitled an act to amend An act for the Regulation of Pilots and Pilotage, beg leave to report the same back to the Senate without any recommendation.

Respectfully submitted,  
B. F. OLIVEROS,  
J. H. DURKEE.

Which was received and the accompanying bill placed among the orders of the day for a second reading.

Assembly Bill No. 154:

A bill ----



Was taken up and read first time by its title.

Mr. Oliveros moved that the rule be waived and the bill read the second time;

Which was agreed to, and the bill was read the second time.

Mr. Oliveros moved that the rule be waived, and the bill be read the third time and put upon its passage;

On the question of waiving the rule the yeas and nays were called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Fortner, Hendry, Knight, Lykes, McAuley, McKinnon, Oliveros, Pope, Smith, Sturtevant, and Wallace—15.

Those voting in the negative were—

Messrs. Hill, Howell, Johnson, Long, Meacham, Osgood, and Parlin—7.

So the rule was waived, and the bill read the third time and put upon its passage.

On the question, Shall the bill pass?

The roll was called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Durkee, Fortner, Hendry, Hill, Howell, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Meacham, Oliveros, Parlin, Pope, Smith, Sturtevant, and Wallace—23.

Those voting in the negative were—None.

So the bill passed, title as stated.

Assembly Bill No 66:

A bill to be entitled An act to Enlarge and Extend the Corporate Powers and Privileges of the Atlantic and Gulf Railroad within the State of Florida,

Was, on motion, taken up and read the first time by its title.

Mr. Cottrell moved that the rule be waived and the bill be read the second time;

Which was agreed to.

Mr. Johnson offered the following amendment to section one:

Insert after the word "prescribed" in the nineteenth line (printed copy of bill) of first section, the following, viz.:

"*Provided, however*, that none of the aforesaid powers, rights and privileges, shall vest in the said Atlantic and Gulf Railroad Company until the said company shall deliver or cause to be delivered to the Governor of the State of Florida, all the bonds of said State which have been issued under and by virtue of an act entitled 'An act to Perfect the Public Works of the State,' approved June 24, 1869, and the several acts amendatory thereof; *And provided further*, that unless all of the above described bonds shall be delivered as aforesaid, within two years from the date of the passage of the act, none of the

aforesaid powers, rights and privileges shall ever vest in the said company, but this act shall be void and of no effect. And whenever the said company shall deliver the said bonds or any of them to the Governor as aforesaid, the said company shall be entitled to demand and receive of the Governor an equal amount of the bonds of any railroad company which were received by the State of Florida in exchange for said State bonds, and which are then held on deposit by the Treasurer of said State."

Mr. Oliveros moved to lay the amendment on the table.

Mr. Oliveros withdrew his motion to lay on the table.

On the question, Shall the amendment be adopted?

The yeas and nays were called with the following result:

Those voting in the affirmative were—

Messrs. Howell, Johnson, Long, and Sturtevant—4.

Those voting in the negative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Durkee, Fortner, Hendry, Hill, Knight, Lykes, McAuley, McKinnon, Meacham, Oliveros, Osgood, Parlin, Pope, Smith, and Wallace—19.

So the amendment was not adopted.

Mr. McKinnon moved that the rule be waived, and the bill read the third time and put upon its passage.

On the question of waiving the rule the yeas and nays were called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Fortner, Hendry, Hill, Knight, Lykes, McAuley, McKinnon, Meacham, Oliveros, Pope, Smith, Sturtevant, and Wallace—18.

Those voting in the negative were—

Messrs. Durkee, Howell, Johnson, Long, Osgood, and Parlin—6.

So the rule was waived and the bill read the third time and put upon its passage.

On the question, Shall the bill pass?

The roll was called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Fortner, Hendry, Hill, Knight, Lykes, McAuley, McKinnon, Meacham, Oliveros, Osgood, Parlin, Pope, Smith, and Sturtevant—19.

Those voting in the negative were—

Messrs. Durkee, Howell, Johnson, and Long—4.

So the bill passed, title as stated.

The Secretary was instructed to certify the same to the Assembly.

The Committee on Railroads and Telegraphs made the following report:

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 24, 1875. }

*Hon. A. L. McCaskill, President of the Senate:*

SIR: The Committee on Railroads and Telegraphs, to whom was referred Assembly Bill No. 133, a bill to be entitled an act to amend an act to alter and amend an act entitled An act to Perfect the Public Works of the State, approved June 24, 1869, which act, now amended, was approved January 28, A. D. 1870, and authorizing the Jacksonville, Pensacola and Mobile Railroad Company to issue bonds, beg leave to report the same back for consideration of the Senate.

Respectfully submitted,

E. G. JOHNSON, Chairman.  
A. D. MCKINNON,  
M. G. FORTNER,  
FREDERICK HILL.

Which was received and the accompanying bill placed among the orders of the day for a second reading.

Assembly Bill No. 133:

A bill to be entitled an act to amend an act to alter and amend an act entitled An act to Perfect the Public Works of the State, approved June 24th, 1869, which act, now amended, was approved January 8, A. D. 1870, and to authorize the Jacksonville, Pensacola and Mobile Railroad to issue bonds,

Was taken up.

Mr. Dennis moved that the rule be waived and the bill read a second time;

On the question of waiving the rule the yeas and nays were called with the following result:

Those voting in the affirmative were—

Messrs. Cottrell, Dennis, Hill, Howell, Johnson, McKinnon, Meacham, Osgood, Parlin, Pope, Smith, Sturtevant, and Wallace—13.

Those voting in the negative were—

Messrs. Brantley, Crawford, Durkee, Fortner, Hendry, Knight, Long, Lykes, McAuley, and Oliveros—10.

So the Senate refused to waive the rule.

[NOTE BY THE SECRETARY.—This bill having been reported by committee, came up in order on its second reading to-day, and a waiving of the rule was not necessary, but the President having perhaps lost sight of the status of the bill, entertained the motion to waive the rule, and the progress of the bill was retarded one day.]

Mr. Dennis moved to reconsider the vote by which Assembly Bill No. 66, a bill to be entitled An act to Enlarge and Extend

the Corporate Powers and Privileges of the Atlantic and Gulf Railroad within the State of Florida, passed.

The President decided that the motion was out of order, the bill having been transmitted to the Assembly.

Mr. Parlin moved that the Secretary be instructed to ask of the Assembly the return of the bill for further consideration.

Mr. Meacham moved that a committee of three be appointed to proceed to the Assembly and ask the return of the bill.

On the question of the appointment of the committee the yeas and nays were called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Dennis, Durkee, Hill, Johnson, McKinnon, Meacham, Osgood, Parlin, Pope, Sturtevant, and Wallace—12.

Those voting in the negative were—

Messrs. Brantley, Cottrell, Crawford, Fortner, Hendry, Knight, Long, Lykes, McAuley, Oliveros, and Smith—11.

So the resolution was adopted.

The Chair appointed as said committee Messrs. Meacham, Parlin, and McKinnon.

The committee, after a short absence, returned to the bar of the Senate, reported that they were informed by the Assembly that the bill had been transferred to the Enrolling Clerk of the Assembly, and asked to be discharged.

The committee was discharged.

Mr. Dennis moved to reconsider the vote by which Assembly Bill No. 65 was passed the Senate.

Pending this motion the following messages were received from the Assembly:

ASSEMBLY HALL,  
TALLAHASSEE, Fla., February 24, 1875. }

*Hon. A. L. McCaskill, President pro tem. of the Senate:*

SIR: I am directed by the Assembly to inform the Senate that the following bills have been signed by the Speaker and Chief Clerk:

An act Authorizing the Comptroller to Purchase Stationery, &c.;

A joint resolution relative to the Texas and Pacific Railroad;

And to request the signatures of the President and Secretary to the same.

Very respectfully,

H. S. HARMON,  
Clerk Assembly.

ASSEMBLY HALL,  
TALLAHASSEE, Fla., February 24, 1875. }

*Hon. A. L. McCaskill, President pro tem. of the Senate:*

SIR: I am directed to inform the Senate that the Assembly has passed—

Assembly Bill No. 144:

A bill to be entitled An act to Prevent Discrimination in the Payment of Salaries of State Officers;

Assembly Bill No. 145:

A bill to be entitled An act to Extend the Time for Bringing Suit in Certain Civil Actions;

Assembly Bill No. 155:

A bill to be entitled An act to Remove the Capital of the State of Florida from Tallahassee to Jacksonville;

And has refused to pass

Senate Bill No. 56:

A bill to be entitled An act to Amend Certain Sections of an Act for the Assessment and Collection of Revenue, approved February 17, 1874.

Very respectfully,

H. S. HARMON,

Clerk Assembly.

The accompanying bills were placed among the orders of the day.

Mr. Dennis asked the ruling of the Chair as to whether or not it was competent for the Senate to reconsider the vote by which Assembly Bill No. 66 passed the same, not then being in possession of the Senate.

The Chairman decided in the negative.

Mr. Dennis appealed from the ruling of the Chair;

On the question, Shall the Chair be sustained?

The yeas and nays were called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Fortner, Hendry, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Oliveros, Osgood, and Smith—15.

Those voting in the negative were—

Messrs. Dennis, Hill, Howell, Meacham, Parlin, Pope, Sturtevant, and Wallace—8.

So the decision of the Chair was sustained.

On motion the Senate went into Executive session.

The doors having been opened, Mr. Lykes moved that the Senate take a recess until 1 o'clock;

Which was agreed to, and the Senate was declared adjourned until 1 o'clock.

## ONE O'CLOCK.

The Senate resumed its session.

The President *pro tem.* in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Messrs. Brantley, Cottrell, Howell, Johnson, Knight, Long, McAuley, McKinnon, Meacham, Oliveros, Pope, Smith, and Sturtevant—14.

A quorum present.

The President announced that the matter of the reconsideration of the vote by which Assembly Bill No. 66 passed having been before the Senate at the time of adjournment, it was now in order to take it up.

Mr. Parlin moved a call of the Senate;

Which was agreed to.

The roll was called and the following Senators answered to their names:

Mr. President, Messrs. Brantley, Cottrell, Dennis, Durkee, Fortner, Hendry, Howell, Johnson, Long, McAuley, McKinnon, Meacham, Oliveros, Osgood, Parlin, Pope, Smith, and Sturtevant—19.

Mr. Dennis moved that further proceedings under the call be dispensed with;

Which was agreed to.

The following message was received from the Assembly:

*Hon. A. L. McCaskill, President pro tem. of the Senate:*

SIR: I am directed to inform the Senate that the Speaker and Chief Clerk have signed the following bill:

An act to amend section nine of an act entitled An act Relating to Jurors, approved August 1, 1868;

Also:

To present Governor's message vetoing act relating to legal advertisements.

Very respectfully,

H. S. HARMON,

Clerk Assembly.

The President announced the signing of the following enrolled bill:

An act to amend section nine of an act entitled An act Relating to Jurors, approved August 1, 1868.

Mr. Wallace moved that the bill relating to the publication of official and legal advertisements, vetoed by the Governor, and passed over his veto by the Assembly, be taken up.

The veto message not having been transmitted from the Assembly with the bill, the matter was laid over for the present.

The following message from the Governor was received:

EXECUTIVE OFFICE, }  
TALLAHASSEE, Fla., February 24, 1875. }

*To the Senate :*

I have signed and deposited in the office of the Secretary of State "An act to Authorize Married Women to Convey their Separate Estate and Release Dower by Attorney." Also, "An act Declaring Homosassa River Navigable."

M. L. STEARNS, Governor.

The following message was received from the Assembly :

ASSEMBLY HALL, }  
TALLAHASSEE, Fla., February 24, 1875. }

*Hon. A. L. McCaskill, President pro tem. of the Senate :*

SIR: I am directed by the Assembly to return to the Senate Assembly Bill No. 66, as per request.

Very respectfully,

H. S. HARMON,

Clerk Assembly.

Mr. Dennis moved to reconsider the vote by which Assembly Bill No. 66 passed.

Mr. Cottrell moved to lay the motion to reconsider on the table.

On the question of laying on the table?

The yeas and nays were called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Fortner, Hendry, Knight, Long, Lykes, McAuley, McKinnon, Oliveros, and Smith—13.

Those voting in the negative were—

Messrs. Dennis, Durkee, Howell, Johnson, Meacham, Osgood, Parlin, Pope, Sturtevant, and Wallace—10.

So the motion to reconsider was laid on the table.

Mr. Cottrell moved that the Secretary be instructed to certify to the Assembly the action of the Senate and return the bill;

Mr. Cottrell withdrew his motion.

Mr. Dennis moved to proceed to the consideration of the special order, viz.: the report of the Committee on Privileges and Elections in the case of Stewart vs. Sturtevant.

Mr. Lykes moved as an amendment that Assembly Bill No. 151, a bill to be entitled An act Making Appropriations for Defraying the Expenses of the Government for the Year 1875, and for other purposes, be taken up.

The amendment was agreed to, and the bill was taken up on its second reading.

Mr. Cottrell moved to suspend the further consideration of the bill to allow him to withdraw a resolution relative to adjournment;

Which was not agreed to.

The reading of the bill was resumed.

Mr. Dennis moved that the bill be printed;

On the question of printing the bill the yeas and nays were called with the following result:

Those voting in the affirmative were—

Messrs. Brantley, Cottrell, Durkee, Lykes, Oliveros, Pope, Smith, and Wallace—8.

Those voting in the negative were—

Mr. President, Messrs. Crawford, Dennis, Fortner, Hendry, Hill, Howell, Long, McAuley, McKinnon, Meacham, Osgood, Parlin, and Sturtevant—14.

So the Senate refused to order the bill to be printed.

Mr. Lykes moved that the further consideration of the bill be indefinitely postponed;

On the question of indefinite postponement the yeas and nays were called with the following result:

Those voting in the affirmative were—

Messrs. Brantley, Dennis, Fortner, Hendry, Lykes, Parlin, Pope, and Smith—8.

Those voting in the negative were—

Mr. President, Messrs. Cottrell, Crawford, Durkee, Hill, Howell, Johnson, Knight, Long, McAuley, McKinnon, Meacham, Oliveros, Osgood, Sturtevant, and Wallace—16.

So the Senate refused to indefinitely postpone the bill.

Mr. Wallace moved that no dilatory motion be entertained during the consideration of the bill.

Mr. Meacham moved to lay the motion on the table.

On the question to lay on the table, the yeas and nays were called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Crawford, Dennis, Durkee, Hendry, Hill, Howell, Knight, Meacham, Osgood, Parlin, Pope, and Smith—13.

Those voting in the negative were—

Messrs. Brantley, Cottrell, Fortner, Johnson, Long, Lykes, McAuley, McKinnon, Oliveros, Sturtevant, and Wallace—11.

So the motion was laid on the table.

The Committee on Enrolled Bills asked leave to report.

Mr. Dennis objected to the report of the committee being received without a waiving of the rule.

The Chair ruled that the Committee on Engrossed Bills is a privileged committee, and can report at any time.

Mr. Dennis appealed from the ruling of the Chair.



On the question, Shall the Chair be sustained?

The roll was called with the following result:

Those voting in the affirmative were—

Messrs. Brantley, Cottrell, Crawford, Durkee, Fortner, Hendry, Hill, Howell, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Meacham, Oliveros, Osgood, Pope, Smith, Sturtevant, and Wallace—21.

Those voting in the negative were—

Messrs. Dennis and Parlin—2

So the Chair was sustained.

The Committee on Enrolled Bills then made the following report:

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 24, 1875. }

*Hon. A. L. McCaskill, President of the Senate:*

SIR: The Committee on Enrolled Bills, to whom was referred Senate Bill No. 26, an act entitled An act to Provide for the Taking of the Census of the State of Florida, have examined the same and find it correctly enrolled.

Respectfully submitted,

M. A. KNIGHT, Chairman.

The President announced the signing of the following enrolled bill:

An act entitled An act to Provide for the Taking of the Census of the State of Florida.

Mr. Osgood moved to suspend the further consideration of the appropriation bill to allow Mr. Meacham to offer a resolution relative to adjournment.

On the motion to suspend the yeas and nays were called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Dennis, Durkee, Hill, Knight, Lykes, Meacham, Osgood, Parlin, Pope, and Wallace—11.

Those voting in the negative were—

Messrs. Brantley, Cottrell, Crawford, Fortner, Hendry, Howell, Johnson, Long, McAuley, McKinnon, Oliveros, Smith, and Sturtevant—13.

So the Senate refused to suspend the further consideration of the bill.

Mr. Osgood moved to go into committee of the whole for the consideration of the bill.

Mr. Osgood withdrew his motion.

Mr. Dennis moved to fill up the blank in the item of contingent expenses of the Commissioner of Lands and Immigration by inserting "\$15,000."

Mr. Smith moved as an amendment that the blank be filled by inserting "\$500."

Mr. Cottrell moved to suspend the further consideration of the bill to allow him to introduce a resolution relative to adjournment.

On the question of suspending the further consideration of the bill, the yeas and nays were called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Fortner, Hendry, Hill, Howell, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Meacham, Oliveros, Osgood, Pope, Sturtevant, and Wallace—20.

Those voting in the negative were—

Messrs. Dennis, Durkee, Parlin, and Smith—4.

So the further consideration of the bill was suspended.

Mr. Cottrell introduced the following resolution:

*Resolved, the Assembly concurring,* That the resolution passed by the Senate and Assembly, proposing to adjourn *sine die* on the 24th of February, at 4 o'clock P. M., be rescinded as to the time, and that the President of the Senate and Speaker of the Assembly will adjourn their respective Houses *sine die* at 12 o'clock M. on Friday, the twenty-sixth day of February, 1875.

Which was adopted, and the Secretary was instructed to certify the same to the Assembly immediately.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 24, 1875. }

*Hon. A. L. McCaskill, President of the Senate:*

SIR: The Committee on Enrolled Bills, to whom was referred Senate Bill No. 15, An act Relating to Proceedings before Justices of the Peace and Judgments of Justices' Courts, would ask leave to say that owing to the length and magnitude of the act, and the short time until the time for the adjournment *sine die*, it is therefore impossible for your committee to examine and compare the act with the engrossed bill; therefore, your committee recommend the officers of the Senate to sign the same.

Respectfully submitted,  
M. A. KNIGHT, Chairman.

Mr. McKinnon moved that the Secretary be instructed to transmit Assembly Bill No. 66, a bill to be entitled An act to Enlarge and Extend the Corporate Powers and Privileges of the Atlantic and Gulf Railroad in the State of Florida to the Assembly;

Mr. Osgood moved to lay the motion on the table;

Which was not agreed to.

Mr. Dennis objected to the motion being entertained by the Chair, as the consideration of the appropriation bill, Assembly Bill No. 151, was only suspended to allow of the introduction of Mr. Cottrell's resolution relative to adjournment.

The Chair ruled that the motion of Mr. McKinnon was in order.

Mr. Dennis appealed from the decision of the Chair.

Mr. McKinnon admitted the correctness of the objections of Mr. Dennis, and withdrew his motion to instruct the Secretary to transmit Assembly Bill No. 66 to the Assembly.

Thereupon Mr. Dennis withdrew his appeal.

The consideration of the appropriation bill was then resumed.

Mr. Meacham moved to fill up the blank in the item for contingent expenses of the Commissioner of Lands and Immigration by inserting "\$5,000."

Mr. Lykes moved to amend by inserting "\$2,000;"

On the adoption of the amendment of Mr. Lykes, the yeas and nays were called with the following result:

Those voting in the affirmative were—

Messrs. Cottrell, Hendry, Lykes, Osgood, and Sturtevant—5.

Those voting in the negative were—

Mr. President, Messrs. Brantley, Crawford, Dennis, Durkee, Fortner, Hill, Howell, Johnson, Knight, Long, McAuley, McKinnon, Meacham, Oliveros, Parlin, Pope, Smith, and Wallace—19.

So the amendment was not adopted.

Mr. Smith moved to amend by inserting "\$500" instead of "\$5,000," as offered by Mr. Meacham.

On the adoption of the amendment offered by Mr. Smith, the yeas and nays were called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Durkee, Fortner, Hendry, Johnson, Knight, Long, McAuley, McKinnon, Oliveros, Smith, and Wallace—15.

Those voting in the negative were—

Messrs. Dennis, Hill, Howell, Lykes, Meacham, Osgood, Parlin, Pope, and Sturtevant—9.

So the blank was filled by inserting "\$500."

Mr. Meacham moved to insert in the bill \$80 for the purchase of a Senate Journal.

Mr. McKinnon moved to amend by inserting "\$65;"

Which was not agreed to.

Mr. Lykes moved to amend by inserting "\$40;"

Which was agreed to.

Mr. Johnson moved to strike out "\$500" in the item for contingent expenses of the Superintendent of Public Instruction and insert "\$1,500."

Mr. Wallace moved to amend by striking out "\$500" and inserting a blank;

Which was not agreed to.

A vote having then been taken on the motion of Mr. Johnson, it was not agreed to.

Mr. Oliveros in the chair.

Mr. McCaskill moved to strike out "\$1,800" in the item for salary of the clerk in Comptroller's office and insert "\$1,600."

Mr. Smith moved to amend by striking out "\$1,800" and inserting "\$1,500."

Mr. McCaskill accepted the amendment offered by Mr. Smith.

Mr. Wallace moved to amend by striking out "\$1,800" and inserting "\$1,000."

On the question of the adoption of the amendment offered by Mr. Wallace, the yeas and nays were called with the following result:

Those voting in the affirmative were—

Messrs. Dennis, Smith, and Wallace—3.

Those voting in the negative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Durkee, Fortner, Hendry, Hill, Howell, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Meacham, Oliveros, Osgood, Parlin, Pope, and Sturtevant—21.

So the amendment of Mr. Wallace was not adopted.

The question then recurred on the adoption of the amendment offered by Mr. Smith, and it was decided in the affirmative.

Mr. Crawford offered the following amendment to the bill:

That the sum of \$450 be allowed to Israel M. Stewart for expenses as contestant.

Which was adopted.

Mr. Wallace offered the following amendment to the bill:

For S. C. Watkins for services rendered in repairing the desks and purchasing locks for the use of the Senate, \$43.50.

Mr. McCaskill moved to amend the amendment by striking out "\$43.50" and inserting "\$20;"

Which was agreed to.

Mr. Osgood offered the following amendment to the bill:

For William M. Duke, acting Reading Clerk of the Assembly, twenty-four dollars (\$24).

Which was not adopted.

Mr. Wallace offered the following amendment:

For John McDougal, for stationery, one hundred and twenty-five dollars and ninety-one cents (\$125.91).

Which, on motion of Mr. Johnson, was referred to the Senate committee on appropriations.

The chairman of the committee on appropriations offered the following as an amendment to the bill:

For stationery for use of Senate and Senate committees, \$349.80.

Mr. Cottrell moved to lay the amendment on the table;

On which the yeas and nays were called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Hendry, Knight, McAuley, Pope, Smith, and Sturtevant—11.

Those voting in the negative were—

Messrs. Durkee, Fortner, Hill, Howell, Johnson, Long, Lykes, McKinnon, Meacham, Oliveros, Osgood, Parlin, and Wallace—13.

So the amendment was not laid on the table.

Mr. McCaskill moved that the whole matter of stationery for the Senate and Assembly be referred to the Committee on Appropriations of each House, and they report the same back to their respective bodies on to-morrow.

Mr. Knight offered the following amendment to the bill:

Strike out the item for interest on the School and Seminary Fund.

The further consideration of the amendment offered by Mr. Knight was laid over for the present.

Mr. Dennis moved to take a recess until 8 o'clock;

On which the yeas and nays were called with the following result:

Those voting in the affirmative were—

Messrs. Dennis, Fortner, Hendry, Johnson, Meacham, Parlin, Smith, and Sturtevant—9.

Those voting in the negative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Durkee, Hill, Howell, Knight, Long, Lykes, McAuley, McKinnon, Oliveros, Osgood, Pope, and Wallace—16.

So the Senate refused to take a recess, and the consideration of the appropriation bill was resumed.

The President *pro tem.* in the chair.

Mr. Oliveros offered the following amendment to the bill:

Strike out—For certain expenses incurred at the funeral of Governor O. B. Hart, as follows: W. H. Avery, forty-one dollars and twenty-five cents (\$41.25); Calvin Oak, two hundred and eighty dollars and fifty cents (\$280.50); O. L. Keene, sixty-two dollars and seventy cents (\$62.70); Dr. J. D. Mitchell, forty dollars (\$40); these items to be audited by the Comptroller.

For Mrs. Catherine T. Hart, widow of the late Governor Ossian B. Hart, the sum of two thousand seven hundred and fifty-one dollars and thirty-nine cents (\$2,751.39). For Mrs. Gibbs, widow of the Hon. J. C. Gibbs, late Superintendent of Public Instruction, six hundred dollars (\$600).

Mr. Durkee moved that the items in the amendment offered by Mr. Oliveros be taken up and acted upon separately;

Which was agreed to.

The item of \$41.25 for W. H. Avery was then taken up, and the Senate refused to strike it out.

The item of \$28.50 for Calvin Oak was taken up, and the Senate refused to strike it out.

The item of \$62.70 for O. L. Keene was taken up, and the Senate refused to strike it out.

The item of \$40 for Dr. J. D. Mitchell was taken up, and the Senate refused to strike it out.

The item of \$2,751.39 for Mrs. Catharine Hart, widow of the late Ossian B. Hart, was taken up and stricken out.

The item of \$600 for Mrs. Gibbs, widow of the late J. C. Gibbs, was taken up and stricken out.

Mr. Dennis offered the following amendment to the bill:

Strike out the item of "\$600" for the widow of the late Hon. Neil McMillan, member of the Assembly.

The amendment was adopted.

Mr. Meacham offered the following amendment to the bill:

For clerk in the Secretary of State's office, \$700.

On the adoption of which the yeas and nays were called with the following result:

Those voting in the affirmative were—

Messrs. Dennis, Hill, Howell, Johnson, Meacham, Osgood, Parlin, Pope, and Sturtevant—9.

Those voting in the negative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Durkee, Fortner, Hendry, Knight, Long, Lykes, McAuley, McKinnon, Oliveros, Smith, and Wallace—15.

So the amendment was not adopted.

The President announced the signing of the following enrolled bill:

An act Relating to Proceedings before Justices of the Peace and Judgments in Justices' Courts.

Mr. Lykes moved to adjourn;

Which was not agreed to.

Mr. Dennis moved that the Senate take a recess until 8:30 o'clock;

Which was agreed to, and the Senate took a recess until 8:30 o'clock.

## HALF-PAST EIGHT O'CLOCK.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

The roll was called and the following Senators answered to their names :

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Durkee, Fortner, Hendry, Hill, Howell, Johnson, Long, Lykes, McKinnon, Meacham, Oliveros, Parlin, Pope, Smith, and Sturtevant—20.

A quorum present.

The Senate resumed the consideration of the appropriation bill.

Mr. Oliveros offered the following amendment to the bill :

Strike out “\$4” and insert “\$3” for Pages of the Senate and Assembly.

Which was adopted.

Mr. Sturtevant offered the following amendment to the bill :

Amend by inserting after T. B. Wells the sum “\$160,” and after Benjamin Cox the sum of “\$80.”

Mr. Meacham offered the following as an amendment to the amendment :

After the name of “T. B. Wells” insert “\$120,” and after the name of “Benjamin Cox” insert “\$120.”

Mr. Meacham withdrew his amendment to the amendment, and the amendment of Mr. Sturtevant was adopted.

Mr. Brantley offered the following amendments to the bill :

For per diem of members of the Legislature insert “six dollars a day” in place of “eight dollars a day.”

Which was not adopted.

Mr. McKinnon offered the following amendment to the bill :

That the Recording Clerks of the Senate and Assembly be allowed six days after the adjournment to bring up the records, at six dollars per day.

Which was adopted.

Mr. Oliveros offered the following amendment to the bill :

Insert after the item “for the pay of Secretary of the Senate and Clerk of the Assembly” the words “from the day of their election.”

Which was adopted.

Mr. Fortner offered the following amendment to the bill :

Strike out “\$6” and insert “\$7” for pay of the Sergeant-at-arms.

The Senate refused to strike out.

Mr. Knight offered the following amendment to section one :

Strike out all in regard to interest for school and seminary ;

Which was agreed to.

Mr. Dennis moved to reconsider the vote by which \$4 was stricken out and \$3 inserted as pay for Pages.

On which the yeas and nays were called with the following result :

Those voting in the affirmative were—

Messrs. Dennis, Durkee, Hill, Howell, Johnson, Long, McKinnon, Meacham, Parlin, Pope, Sturtevant, and Wallace—12.

Those voting in the negative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Fortner, Hendry, Knight, Lykes, McAuley, Oliveros, Osgood, and Smith—12.

So the Senate refused to reconsider the vote.

Mr. Wallace moved to reconsider the vote by which the blank for the compensation of the Commissioner of Immigration was filled with \$500.

On which the yeas and nays were called with the following result :

Those voting in the affirmative were—

Messrs. Dennis, Fortner, Hendry, Hill, Howell, Johnson, Long, McKinnon, Meacham, Osgood, Parlin, Pope, Sturtevant, and Wallace—14.

Those voting in the negative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Durkee, Knight, Lykes, McAuley, Oliveros, and Smith—10.

So the Senate agreed to reconsider.

Mr. Johnson offered the following amendment to the bill :

Strike out "\$500" and insert "\$2,500" in the item for contingent expenses of the Commissioner of Lands and Immigration.

Mr. Lykes offered the following as an amendment to the amendment :

Strike out "\$2,500" and insert "\$2,000."

Mr. Johnson accepted the amendment of the Senator from the Twenty-second.

On the question, Shall the amendment be adopted?

The roll was called with the following result :

Those voting in the affirmative were—

Messrs. Dennis, Hill, Howell, Johnson, Long, Lykes, Meacham, Osgood, Parlin, Pope, Sturtevant, and Wallace—12.

Those voting in the negative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Durkee,



Fortner, Hendry, Knight, McAuley, McKinnon, Oliveros, and Smith—12.

So the amendment was not adopted.

Mr. Johnson moved to strike out "\$500" and insert "\$1,800."

Mr. Smith moved to amend the amendment by striking out "\$1,800" and inserting "\$1,000 ;"

Which was agreed to.

On the question of the adoption of the amendment the roll was called with the following result:

Those voting in the affirmative were—

Messrs. Hendry, Hill, Howell, Johnson, Long, Lykes, McKinnon, Meacham, Osgood, Pope, Sturtevant, and Wallace—12.

Those voting in the negative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Durkee, Fortner, Knight, McAuley, Oliveros, Parlin, and Smith—12.

So the amendment as amended was not adopted.

Mr. Dennis offered the following amendment to the bill:

That the sum of fifteen hundred dollars is hereby appropriated to defray the expense of an agent to be appointed by the Commissioner of Lands and Immigration to adjust the land claims between the State of Florida and the United States.

Mr. Oliveros offered the following as an amendment to the amendment:

Insert the name of William H. Gleason instead of "an agent."

Which was agreed to.

On the question of the adoption of the amendment as amended, the yeas and nays were called with the following result:

Those voting in the affirmative were—

Messrs. Dennis, Hill, Howell, Johnson, Long, Meacham, Osgood, Parlin, Pope, and Sturtevant—10.

Those voting in the negative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Durkee, Fortner, Hendry, Knight, Lykes, McAuley, McKinnon, Oliveros, Smith, and Wallace—14.

So the amendment as amended was not adopted.

Mr. Hendry offered the following:

To reconsider the vote taken on the appropriation of contingent funds for Superintendent of Public Instruction.

The Chair ruled it out of order.

Mr. Dennis offered the following amendment to the bill.

That the sum of ten thousand dollars is hereby appropriated

to reimburse ex-Governor Harrison Reed for moneys expended in the public interest during his term of office.

Mr. Oliveros offered the following as a substitute for the amendment of Mr. Dennis.

Two thousand dollars for defraying the expenses of the Commissioners to the Centennial Exhibition, to be expended under direction of the Governor.

The substitute was not adopted.

On the question of the adoption of the amendment offered by Mr. Dennis the yeas and nays were called with the following result:

Those voting in the affirmative were—

Messrs. Dennis, Johnson, Meacham, Osgood, Parlin, and Sturtevant—6.

Those voting in the negative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Durkee, Fortner, Hendry, Hill, Howell, Knight, Long, Lykes, McAuley, McKinnon, Oliveros, Pope, Smith, and Wallace—18.

So the amendment was not adopted.

Mr. Parlin offered the following amendment to the bill:

There is hereby appropriated to the Attorney-General a sufficient sum of money not to exceed \$5,000, to enable him to settle and finally adjust the accounts between the late Governor Harrison Reed and the State, which are hereby referred to him with power to examine and adjust the same, to send for persons and papers, and compel the attendance of witnesses, and if a balance shall be found due the said Reed he shall certify the same to the Comptroller who shall issue his warrant therefor, and if it shall appear that there is a balance due the State for moneys received by the said Reed on account of the State, the Attorney-General is instructed to commence immediate suit to recover the same.

The Chair ruled the amendment of Mr. Parlin out of order.

Mr. Durkee offered the following amendment to the bill:

For clerk in the Treasury Department, five hundred dollars.

On which the yeas and nays were called with the following result:

Those voting in the affirmative were—

Messrs. Durkee, Hill, Howell, Long, Lykes, McKinnon, Meacham, Oliveros, Osgood, Parlin, Sturtevant, and Wallace—12.

Those voting in the negative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Fortner, Hendry, Johnson, Knight, McAuley, Pope, and Smith—12.

So the amendment was not adopted.

Mr. Long moved that the Senate now adjourn ;

Which was not agreed to.

Mr. Cottrell moved to lay the appropriation bill on the table ;

Which was agreed to.

Mr. Wallace moved that the veto of the Governor, of an act relating to the publication of official and legal advertisements, be taken up ;

Which was agreed to.

The veto of the Governor was then read, as follows :

VETO MESSAGE.

EXECUTIVE OFFICE,  
TALLAHASSEE, Fla., February 23, 1875. }

*To the Senate :*

I return without my approval a bill entitled "An act relating to the publication of official and legal advertisements."

While it would give me great pleasure to approve a well-digested law regulating this subject in accordance with the recommendations embodied in my annual message, I cannot approve an act which simply substitutes for one alleged monopoly another which would prove still more obnoxious and burdensome to the public.

Very few counties in this State have more than one paper, and this law, while making the insertion of legal advertisements in this single paper compulsory, neglects to regulate its charges, thus not only giving the advertiser no choice in the selection of his paper, but placing him absolutely at the mercy of the publisher.

The law now in force limits the rates of advertising, and, under the present liberal designation of official papers in every circuit, gives the advertiser an opportunity to select that one best suited to his purpose, and also to reap the benefit of reduced charges which a fair competition generally induces.

The impression has so generally prevailed throughout this State that the present legal advertising law is inappropriate and unjust that I greatly regret being compelled to sustain it in order to save the public from the misfortune of a worse law.

M. L. STEARNS, Governor.

The message of the Governor was read.

On the question, Shall the bill pass, the veto of the Governor to the contrary notwithstanding?

The roll was called with the following result :

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Fortner, Hendry, Knight, Lykes, McAuley, McKinnon, Oliveros, Smith, and Wallace—13.

Those voting in the negative were—

Messrs. Dennis, Durkee, Hill, Howell, Johnson, Long, Meacham, Osgood, Parlin, Pope, and Sturtevant—11.

Two-thirds of the members not having voted in favor of the passage of the bill, the veto of the Governor was sustained.

Mr. Lykes moved that the Senate do now adjourn;

Which was agreed to, and the Senate was declared adjourned until 10 o'clock to-morrow.

#### THURSDAY, FEBRUARY 25, 1875.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Durkee, Fortner, Hendry, Hill, Knight, Lykes, McAuley, Meacham, Oliveros, Osgood, Parlin, Pope, Smith, and Sturtevant—19.

A quorum present.

Mr. McKinnon moved that the business now before the Senate be suspended, and that Assembly Bill No. 120, a bill to be entitled An act to Authorize W. H. Gibson to Establish a Ferry Across the Ocklockonee River, be read the second time;

Which was agreed to, and the bill was read a second time.

Mr. McKinnon moved that the rule be waived and the bill read the third time;

Which was agreed to, and the bill was read the third time and put upon its passage.

On the question, Shall the bill pass?

The roll was called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Durkee, Fortner, Hendry, Hill, Johnson, Knight, Long, McAuley, McKinnon, Meacham, Oliveros, Osgood, Parlin, Pope, Smith, Sturtevant, and Wallace—22.

Those voting in the negative were—None.

So the bill passed, title as stated.

Mr. Parlin moved to take up the appropriation bill;

Which was agreed to.

Mr. Cottrell moved that the further consideration of the appropriation bill be suspended for the present and that Senate Bill No. 78, a bill to be entitled An act to Incorporate the Gulf Coast and Peninsular Canal Company, and to Grant Certain Privileges therein named, be taken up;